

**No. 43**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**100th Legislature**  
**REGULAR SESSION OF 2019**

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Senate Chamber, Lansing, Tuesday, May 7, 2019.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present  
Ananich—present  
Barrett—present  
Bayer—present  
Bizon—present  
Brinks—present  
Bullock—present  
Bumstead—present  
Chang—present  
Daley—present  
Geiss—present  
Hertel—present  
Hollier—present

Horn—present  
Irwin—present  
Johnson—present  
LaSata—present  
Lauwers—present  
Lucido—present  
MacDonald—present  
MacGregor—present  
McBroom—present  
McCann—present  
McMorrow—present  
Moss—present  
Nesbitt—present

Outman—present  
Polehanki—present  
Runestad—present  
Santana—present  
Schmidt—present  
Shirkey—present  
Stamas—present  
Theis—present  
VanderWall—present  
Victory—present  
Wojno—present  
Zorn—present

Dr. Robert Brumfield of Oak Grove African Methodist Episcopal Church of Detroit offered the following invocation:

Almighty God, we come before You today and give thanks to You for Your many blessings. Many times our lives are so full of busy work that we neglect our relationship with You. For that, we are sorry. We know that You never neglect us, but if You did, our very lives would cease to be.

We pause today to pray for the Senate of Michigan and elected leadership chosen to legislate the affairs of its people. We invoke the spirit of wisdom upon Governor Whitmer and Lieutenant Governor Gilchrist. We pray for the Senate President pro tempore and majority and minority leadership of the Senate and both houses, their staffs, and constituents. Especially, we pray for Senator Bullock and the delegation from Detroit. Help them to never stop looking back but not become so fixated by what they see, that they fail to keep pressing forward toward excellence and greatness. Bless them to agree, acknowledge, love, accept, and welcome into their lives all that is truth and rebuke and reject all that is false. We invoke into their lives and encourage also in others all that is of love and pray they reject and expel all that is of hate. Bless them to open and fill themselves with all that is good and pure, and that they rebuke and cast away all that is evil and vile, dishonorable, and unproductive.

May the voice of the divine servant echo in their ears who said He didn't come so that others could serve Him; He came to serve and to give. Continue to pull them to Yourself. Guide them in their deliberations and decisions. Hold them close to Your bosom until the day they hear You say "well done." Be with them now as they gather to do the people's work. May they feel Your presence among them.

We ask these blessings in the precious name of the one true God who is known by many names. Amen.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator MacGregor moved that the following bill, now on the order of General Orders, be referred to the Committee on Government Operations:

**Senate Bill No. 113, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2018 PA 586.

The motion prevailed.

The following communications were received and read:  
Office of the Auditor General

April 30, 2019

Enclosed is a copy of the following reports:

- Report on Internal Control, Compliance, and Other Matters for the Michigan Public School Employees' Retirement System (071-0152-19).
- Performance audit report on the Office of Children's Ombudsman, Department of Technology, Management, and Budget (071-0176-17).

May 1, 2019

Enclosed is a copy of the following report:

- Performance audit report on Oversight and Encounter Claim Integrity of the Comprehensive Health Care Program, Michigan Department of Health and Human Services (391-0702-17).

May 3, 2019

Enclosed is a copy of the following reports:

- Performance audit report on Prisoner Pharmaceuticals, Department of Corrections (471-0325-17).
- Performance audit report on the Michigan Veterans' Trust Fund, Michigan Veterans Affairs Agency, Department of Military and Veterans Affairs (511-0410-18).

Sincerely,  
Doug Ringler  
Auditor General

The audit reports were referred to the Committee on Oversight.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

January 8, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-001-LR (Secretary of State Filing #19-01-20) on this date at 3:08 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Consumer Standards and Billing Practices for Electric and Natural Gas Service."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 8, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-017-LR (Secretary of State Filing #19-01-21) on this date at 3:08 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Workers' Compensation Health Care Services."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6) or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

January 8, 2019

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Office of Regulatory Reinvention filed Administrative Rule #2018-011-LR (Secretary of State Filing #19-01-22) on this date at 3:08 p.m. for the Department of Licensing and Regulatory Affairs entitled, "Survey and Remonumentation - General Rules."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Jocelyn Benson  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Office of Senator Ken Horn

May 5, 2019

I respectfully request that I be added as a co-sponsor of Senate Bill 1, introduced by Senator Aric Nesbitt. Please take steps to formally process my addition as soon as possible.

Thank you for your assistance in this matter.

Sincerely,  
Ken Horn  
State Senator  
32nd District

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Tom Barrett

May 7, 2019

I, Senator Tom Barrett, would like my name added as a co-sponsor of Senate Bill 1. If there are any questions, please contact me or my office.

Best,  
Tom Barrett  
State Senator  
24th Senate District

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Kimberly LaSata

May 7, 2019

I would like to be added as a co-sponsor to SB 1.

Sincerely,  
Kim LaSata  
State Senator  
21st District

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Dan Lauwers

May 7, 2019

Please accept this letter regarding Senate Bill 1, I would like to be added as a co-sponsor.

Sincerely,  
Dan Lauwers  
State Senator, 25th District

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Senator Ed McBroom

May 7, 2019

I am writing to be a co-sponsor of SB 1. Please include my name on the co-sponsor list.

Sincerely,  
Ed McBroom  
State Senator  
38th District

The communication was referred to the Secretary for record.

Senator MacGregor asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator MacGregor's statement is as follows:

This morning it is my pleasure to recognize two individuals who are earning a special honor. The Frank Fitzgerald Public Service Award recognizes talented young people active in Michigan government who have shown extraordinary dedication and a willingness to help others. The award is named for the late Frank M. Fitzgerald, a state lawmaker in the 1980s and 1990s. Frank served for 12 years in the Michigan House and was Speaker pro tempore for two terms. His father, John Fitzgerald, served here in the Michigan Senate. Recipients are honored for their excellence as scholars, communicators, and volunteers.

The first winner is Michael Downs, who interned in the Michigan House. Michael served in the office of State Representative Lee Chatfield, where he helped constituents in the 107th District, and also for former Representative Laura Cox. She represented the 19th House District, including Michael's home town of Livonia. Michael was president of the Michigan State University International Relations Organization, one of the top ranked in the country. Last week, Michael received his bachelor's degree from MSU. Michael is the son of Mary Kay Downs and the late Patrick Downs. Mrs. Downs is in the east Gallery. Please join me in welcoming her.

Our second recipient is William Gooding. He interned with Aric Nesbitt, the Senator who represents his hometown of Paw Paw. Will also did an internship with Representative Lee Chatfield in the Michigan House and interned with Congressman Jack Bergman in Washington, D.C. In 2018, Will was honored with the Daniel Rosenthal Legislative Intern Award for his public service. Last weekend, Will received his bachelor's degree from Michigan State University. Will's mother, Carol Biegun, is in the east Gallery. Thank you for being with us today.

On behalf of the Michigan Senate, we'd like to thank both of these individuals for their hard work. We congratulate them on winning the 2019 Fitzgerald Public Service Award.

**Messages from the Governor**

The following message from the Governor was received on May 3, 2019, and read:

EXECUTIVE ORDER  
No. 2019-11

**Declaration of State of Emergency**

This week southeastern Michigan experienced heavy and damaging rainfall. Wayne County was among the most severely impacted areas. This event created dangerous flooding throughout many areas of Wayne County and caused power outages, hazardous driving conditions, and increased emergency vehicle response time due to inaccessible roadways and bridges. According to the National Weather Service, a flood watch remains in effect through the morning of Friday, May 3, 2019.

In response, Wayne County has taken several actions that include declaring a local state of emergency; activating its disaster response and recovery operation; evacuating and providing shelter to affected residents; and issuing emergency public information. The assistance of voluntary organizations and the state are required to protect public health, safety, and property, and to lessen or avert more severe and lasting harm to the community.

Under the Emergency Management Act, 1976 PA 390, MCL 30.403(4), “[t]he governor shall, by executive order or proclamation, declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists.” Therefore, acting pursuant to the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, I order the following:

1. A state of emergency is declared for Wayne County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts and may call upon all state departments to utilize available resources to assist in the designated area pursuant to the Michigan Emergency Management Plan.
3. The state of emergency is terminated at such time as the threats to public health, safety, and property caused by the emergency no longer exist, and appropriate programs have been implemented to recover from the effects of this emergency, but in no case later than May 13, 2019, unless extended as provided by 1976 PA 390, as amended.

Given under my hand and the great seal of the State of Michigan.

Date: May 3, 2019

[SEAL]

Gretchen Whitmer  
Governor

By the Governor:  
Jocelyn Benson  
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received and read:

May 3, 2019

I respectfully submit to the Senate the following appointment to office pursuant to Executive Order No. 2002-06, MCL 256.571:

**Governor’s Traffic Safety Advisory Commission**

Sheriff Michael J. Poulin of 401 Ruddiman Drive, North Muskegon, Michigan 49445, county of Muskegon, succeeding Sheriff Matthew Saxton whose term will expire May 27, 2019, appointed to represent local units of government for a term commencing May 28, 2019 and expiring May 27, 2022.

Respectfully,  
Gretchen Whitmer  
Governor

The appointment was referred to the Committee on Advice and Consent.

**Recess**

Senator MacGregor moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:11 a.m.

11:45 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The following communication was received and read:  
Office of the Senate Majority Leader

May 6, 2019

Pursuant to MCL 752.973, I nominate the following individuals to the **Human Trafficking Commission**.

Judy Emmons  
Shari Montgomery

Sincerely,  
Mike Shirkey  
16th Senate District  
Senate Majority Leader

The communication was referred to the Secretary for record.

Senator MacGregor moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 1**

**Senate Bill No. 292**

**Senate Bill No. 295**

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

**General Orders**

Senator MacGregor moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator Horn as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Gilchrist, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**Senate Bill No. 295, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2014 PA 300.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 1, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3148 and 3157 (MCL 500.3148 and 500.3157), and by adding sections 3100, 3107c, 3109b, and 3157a.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 5, following line 17, by inserting:

"Sec. 2105. (1) ~~No~~A policy of automobile insurance or home insurance ~~shall~~**MUST NOT** be offered, bound, made, issued, delivered or renewed in this state ~~on and after January 1, 1981, except in conformity with~~**UNLESS THE POLICY CONFORMS TO** this chapter. ~~This chapter shall not apply to policies of automobile insurance or home insurance offered, bound, made, issued, delivered or renewed in this state before January 1, 1981.~~

(2) This chapter ~~shall~~**DOES** not apply to insurance written on a group, franchise, blanket policy, or similar basis ~~which~~**THAT** offers home insurance or automobile insurance to all members of the group, franchise plan, or blanket coverage who are eligible persons. **HOWEVER, SECTION 2111(4), WITH RESPECT TO SEX, APPLIES TO AUTOMOBILE INSURANCE WRITTEN ON A GROUP, FRANCHISE, BLANKET POLICY, OR SIMILAR BASIS."**

2. Amend page 5, following line 17, by inserting:

"Sec. 2108. (1) On the effective date of a manual of classification, manual of rules and rates, rating plan, or modification of a manual of classification, manual of rules and rates, or rating plan that an insurer proposes to use for

automobile insurance or home insurance, the insurer shall file the manual or plan with the director. Each filing under this subsection must state the character and extent of the coverage contemplated. An insurer that is subject to this chapter and that maintains rates in any part of this state shall at all times maintain rates in effect for all eligible persons meeting the underwriting criteria of the insurer.

(2) An insurer may satisfy its obligation to make filings under subsection (1) by becoming a member of, or a subscriber to, a rating organization licensed under chapter 24 or chapter 26 that makes the filings, and by filing with the director a copy of its authorization of the rating organization to make the filings on its behalf. This chapter does not require an insurer to become a member of or a subscriber to a rating organization. An insurer may file and use deviations from filings made on its behalf. The deviations are subject to this chapter.

(3) A filing under this section must be accompanied by a certification by or on behalf of the insurer that, to the best of the insurer's information and belief, the filing conforms to the requirements of this chapter.

(4) A filing under this section must include information that supports the filing with respect to the requirements of section 2109. The information may include 1 or more of the following:

- (a) The experience or judgment of the insurer or rating organization making the filing.
- (b) The interpretation of the insurer or rating organization of any statistical data it relies on.
- (c) The experience of other insurers or rating organizations.
- (d) Any other relevant information.

(5) Except as otherwise provided in this subsection, the department shall make a filing under this section and any accompanying information open to public inspection on filing. An insurer or a rating organization filing on the insurer's behalf may designate information included in the filing or any accompanying information as a trade secret. The insurer or the rating organization filing on behalf of the insurer shall demonstrate to the director that the designated information is a trade secret. If the director determines that the information is a trade secret, the information is not subject to public inspection and is exempt from the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. As used in this subsection, "trade secret" means that term as defined in section 2 of the uniform trade secrets act, 1998 PA 448, MCL 445.1902. However, trade secret does not include filings and information accompanying filings under this section that were subject to public inspection before the effective date of the amendatory act that added this sentence. **JANUARY 11, 2016.**

(6) An insurer shall not make, issue, or renew a contract or policy except in accordance with filings that are in effect for the insurer under this chapter.

**(7) A FILING UNDER THIS CHAPTER MUST SPECIFY THAT THE INSURER WILL NOT REFUSE TO INSURE, REFUSE TO CONTINUE TO INSURE, OR LIMIT THE AMOUNT OF COVERAGE AVAILABLE BECAUSE OF THE LOCATION OF THE RISK, AND THAT THE INSURER RECOGNIZES THOSE PRACTICES TO CONSTITUTE REDLINING. AN INSURER SHALL NOT ENGAGE IN REDLINING AS DESCRIBED IN THIS SUBSECTION."**

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 292, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1621 and 1627 (MCL 600.1621 and 600.1627), as amended by 1995 PA 161, and by adding section 1630.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

Senator MacGregor moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

**Senate Bill No. 1**

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

Senator MacGregor moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 228**

**Senate Bill No. 1**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 228, entitled**

A bill to create a suicide prevention commission within the legislative council and to prescribe its powers and duties; and to prescribe the powers and duties of certain state officers and entities.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 57**

**Yeas—38**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Hollier	McCann	Shirkey
Bayer	Horn	McMorrow	Stamas
Bizon	Irwin	Moss	Theis
Brinks	Johnson	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Bumstead	Lauwers	Polehanki	Wojno
Chang	Lucido	Runestad	Zorn
Daley	MacDonald		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Runestad asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Runestad's statement is as follows:

Senate Bill No. 228 is one of the most meaningful pieces of legislation that I will work on this year. You may have read before that suicide is a national epidemic and Michigan's suicide rate is increasing at an astonishing 33 percent over a little more than a decade. Michigan leaders often surmise that we know a lot about this population's depression, mental illness, addiction, hopelessness, and suicide already. However, there are some facts about suicide that you may be surprised to learn.

First, suicide is not increasing in every state. As data from the Centers for Disease Control and Prevention shows, although suicide is increasing nationally, in a few states the suicide rate is actually on the decline. A second fact you may not realize is that half of the people who die of suicide have no diagnosed mental health condition. Intentional drug overdoses account for only one out of ten of all suicides. And in Michigan there are more deaths by suicide each year than traffic or gun deaths combined.

These facts challenge a lot of our assumptions about suicides. The fact that the majority of people who die by suicide have no mental health condition or drug addiction is not the story we often associate with suicide attempts. We may think we know a lot about who is committing suicide and the reasons why. Did you know that in Michigan there are substantial increases in suicides in rural areas, in working populations, and within certain occupations? Did you also know that suicide is often correlated with a combination of job loss and the loss of a relationship? The reality is that often those who die by suicide were reliable workers, parents, and seniors with no known mental illness. These dynamics, coupled with Michigan's dramatic increase in suicide rates over the last decade, underscore our need to thoroughly research the causes and demographics of those who attempt suicide in our state and develop a state action plan.

To turn things around, we need accurate and extensive data. That is why I introduced Senate Bill No. 228. This bill will bring education and data together under the direction of a commission to examine the data, make recommendations, and ensure proven solutions get buy-in and implementation statewide. There is currently a patchwork of efforts across the state. For example, we developed a suicide prevention curriculum for Michigan schools under the Department of Health and Human Services, but the curriculum was never implemented across the state by all of our intermediate school districts. The commission will work in subcommittees to make sure that we are utilizing evidence-based programs for our schools. Another example is that we have national data showing what works for treating PTSD and depression for veterans. However, I'm told that not all our VAs or veterans services are using that work. This commission can help ensure that all of our veterans are getting access to what is working.

Another example is that law enforcement in the Lansing area have an opportunity to participate in what's called Life Savers which includes training for crisis intervention, and works in partnership with the local health department, ISD, and community mental health. If this is a successful model, we need a way to share the success with the rest of the state. That is another job this commission can undertake.

One more example is that we have an excellent federal grant-funded suicide prevention program at Oakland County Community Mental Health. Oakland's success needs to be shared with the rest of the state.

Commissions are often criticized for being ineffectual and perpetuating themselves. For this reason, we've put a sunset on this commission of four years, we've directed the commission to work in subcommittees, and with an executive committee in charge of making sure objectives are accomplished on a timeline. Members of the commission would serve without compensation and my office has been deluged with calls of support and interest from around the state.

We have overwhelming support and enthusiasm to tackle this crisis in a statewide, all-hands-on-deck approach, and I can't convey how important this is to me personally and how much I appreciate the Senate's support of this bill. Establishing this commission with this timely legislation will go a long way to reversing these heartbreaking trends and to change the Michigan story. Bringing together everyone in the state can turn Michigan's terrible losses into a lifesaving success story.

The following bill was read a third time:

**Senate Bill No. 1, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 2118, 2120, 3101, 3101a, 3104, 3107, 3111, 3112, 3113, 3114, 3115, 3135, 3142, 3148, 3157, 3163, 3172, 3173a, 3174, 3175, and 3177 (MCL 500.150, 500.2118, 500.2120, 500.3101, 500.3101a, 500.3104, 500.3107, 500.3111, 500.3112, 500.3113, 500.3114, 500.3115, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3172, 500.3173a, 500.3174, 500.3175, and 500.3177), section 150 as amended by 1992 PA 182, sections 2118 and 2120 as amended by 2007 PA 35, section 3101 as amended by 2017 PA 140, section 3101a as amended by 2018 PA 510, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3113 as amended by 2016 PA 346, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, sections 3172, 3173a, 3174, and 3175 as amended by 2012 PA 204, and section 3177 as amended by 1984 PA 426, and by adding sections 261, 1245, 2116b, 3107c, 3107d, 3107e, 3157a, and 3157b and chapter 63.

The question being on the passage of the bill,

Senator Geiss offered the following amendments:

1. Amend page 5, following line 17, by inserting:

**"SEC. 2103A. AS USED IN THIS CHAPTER:**

**(A) "GROUP AUTOMOBILE INSURANCE" MEANS AUTOMOBILE INSURANCE WRITTEN ON A GROUP, FRANCHISE, BLANKET POLICY, OR SIMILAR BASIS COVERING ELIGIBLE EMPLOYEES OR MEMBERS, WITH OR WITHOUT THEIR ELIGIBLE DEPENDENTS, OF A GOVERNMENTAL CORPORATION, UNIT, AGENCY, OR DEPARTMENT, OR TO A CORPORATION, PARTNERSHIP, INDIVIDUAL EMPLOYER, OR AN ASSOCIATION.**

**(B) "TOTAL RETURN RATING" MEANS THE CONSIDERATION OF TOTAL REVENUE AND AVAILABLE ASSETS OF THE INSURER, INCLUDING, BUT NOT LIMITED TO, INVESTMENT INCOME, CAPITAL AND SURPLUS, UNDERWRITING AND OPERATING PROFITS, PREMIUM REVENUE, AND ALL OTHER RESERVES.**

Sec. 2105. (1) ~~No~~A policy of automobile insurance or home insurance shall **NOT** be offered, bound, made, issued, delivered, or renewed in this state on and after January 1, 1981, except in conformity with this chapter. This chapter ~~shall~~**DOES** not apply to policies of automobile insurance or home insurance offered, bound, made, issued, delivered or renewed in this state before January 1, 1981.

(2) This chapter ~~shall~~**DOES** not apply to insurance written on a group, franchise, ~~blanket policy~~, or similar basis ~~which~~**THAT** offers home insurance ~~or automobile insurance~~ to all members of the group, franchise plan, or blanket coverage who are eligible persons.

Sec. 2106. Except as specifically provided in this chapter, the provisions of chapter 24 and chapter 26 ~~shall~~**DO** not apply to automobile insurance and home insurance. An insurer may use rates for ~~automobile insurance or home insurance~~ as soon as those rates are filed. **AN INSURER SHALL NOT USE RATES FOR AUTOMOBILE INSURANCE UNTIL THOSE RATES HAVE BEEN APPROVED BY THE DIRECTOR.** To the extent that other provisions of this ~~code~~**ACT** are inconsistent with the provisions of this chapter, this chapter ~~shall govern~~**GOVERNS** with respect to automobile insurance and home insurance.

**SEC. 2106A. TO BE AUTHORIZED TO WRITE GROUP AUTOMOBILE INSURANCE IN THIS STATE, AN INSURER SHALL OFFER THE GROUP COVERAGE TO EVERY ELIGIBLE PERSON IN THE GROUP IN A UNIFORM MANNER AND SHALL FOLLOW THE RATE-MAKING, UNDERWRITING, AND OTHER APPLICABLE PROVISIONS OF THIS ACT.**

**SEC. 2107A. (1) BY NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION AND ANNUALLY THEREAFTER, EACH INSURER SUBJECT TO THIS CHAPTER SHALL FILE BASE RATES FOR AUTOMOBILE INSURANCE AND SHALL MAKE FILINGS THAT CONFORM TO THIS ACT AS AMENDED BY THE AMENDATORY ACT THAT ADDED THIS SECTION AND THE AMENDATORY ACT THAT ADDED SECTION 2107B.**

**(2) THE DIRECTOR SHALL REVIEW A FILING SUBMITTED UNDER SUBSECTION (1) AND SHALL APPROVE OR DISAPPROVE THE FILING WITHIN 60 DAYS AFTER ITS SUBMISSION.**

**(3) A FILING APPROVED UNDER SUBSECTION (2) MUST NOT BE REVISED FOR 12 MONTHS AFTER THE EFFECTIVE DATE OF THE FILING UNLESS THE REVISION MEETS EITHER OF THE FOLLOWING:**

**(A) LOWERS THE PRICE OF THE COVERAGE.**

**(B) IS IN RESPONSE TO A RULING OR DECISION BY THE DIRECTOR, THE COURT, OR A HEARING OFFICER.**

**(4) A RULE CHANGE OR OTHER CHANGE FILED WITH THE DIRECTOR THAT RESULTS IN A CHANGE IN THE COST OF COVERAGE IS CONSIDERED A REVISION IN A RATE FILING UNDER THIS SECTION.**

**(5) IF A FILING IS DISAPPROVED UNDER SUBSECTION (2), THE INSURER, WITHIN 30 DAYS OF THE ORDER OF DISAPPROVAL, SHALL MAKE A REVISED FILING WITH THE DIRECTOR. THE REVISED FILING IS SUBJECT TO REVIEW UNDER THIS CHAPTER IN THE SAME MANNER AS AN ORIGINAL FILING MADE UNDER THIS CHAPTER.**

Sec. 2108. (1) ~~On~~**EXCEPT AS OTHERWISE PROVIDED IN SECTION 2107A, ON** the effective date of a manual of classification, manual of rules and rates, rating plan, or modification of a manual of classification, manual of rules and rates, or rating plan that an insurer proposes to use for automobile insurance or home insurance, the insurer shall file the manual or plan with the director. Each filing under this subsection must state the character and extent of the coverage contemplated. An insurer that is subject to this chapter and that maintains rates in any part of this state shall at all times maintain rates in effect for all eligible persons meeting the underwriting criteria of the insurer.

~~(2) An~~**EXCEPT FOR FILINGS CONCERNING RATES, AN** insurer may satisfy its obligation to make filings ~~under subsection (1) by becoming a member of, or a subscriber to, a~~ **LICENSED** rating organization ~~licensed under chapter 24 or chapter 26 that makes the filings, and by filing with the director a copy of its authorization of the rating organization to make the filings on its behalf. This chapter does not require an insurer to become a member of or a subscriber to a rating organization. An insurer may file and use deviations from filings made on its behalf. The deviations are subject to this chapter.~~

**(3) A filing under this section must be accompanied by a certification by or on behalf of the insurer that, to the best of the insurer's information and belief, the filing conforms to the requirements of this chapter.**

**(4) A filing under this section must include information that supports the filing with respect to the requirements of section 2109 OR 2109A, AS APPLICABLE.** The information may include 1 or more of the following:

**(a) The experience or judgment of the insurer ~~or rating organization~~ making the filing.**

**(b) The interpretation of the insurer ~~or rating organization~~ of any statistical data it relies on.**

**(c) The experience of other insurers. ~~or rating organizations.~~**

**(d) Any other relevant information.**

**(5) Except as otherwise provided in this subsection, the department shall make a filing under this section and any accompanying information open to public inspection on filing. An insurer or a rating organization filing on the insurer's behalf may designate information included in the filing or any accompanying information as a trade secret. The insurer or the rating organization filing on behalf of the insurer shall demonstrate to the director that the designated information is a trade secret. If the director determines that the information is a trade secret, the information is not subject to public inspection and is exempt from the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. As used in this subsection, "trade secret" means that term as defined in section 2 of the uniform trade secrets act, 1998 PA 448, MCL 445.1902. However, trade secret does not include filings and information accompanying filings under this section that were subject to public inspection before the effective date of the amendatory act that added this sentence.**

**(6) An insurer shall not make, issue, or renew a contract or policy except in accordance with filings that are in effect for the insurer under this chapter.**

Sec. 2109. (1) All rates for ~~automobile insurance and~~ home insurance shall be made in accordance with the following provisions:

(a) Rates shall not be excessive, inadequate, or unfairly discriminatory. A rate shall not be held to be excessive unless the rate is unreasonably high for the insurance coverage provided and a reasonable degree of competition does not exist for the insurance to which the rate is applicable.

(b) A rate shall not be held to be inadequate unless the rate is unreasonably low for the insurance coverage provided and the continued use of the rate endangers the solvency of the insurer; or unless the rate is unreasonably low for the insurance provided and the use of the rate has or will have the effect of destroying competition among insurers, creating a monopoly, or causing a kind of insurance to be unavailable to a significant number of applicants who are in good faith entitled to procure that insurance through ordinary methods.

(c) A rate for a coverage is unfairly discriminatory in relation to another rate for the same coverage if the differential between the rates is not reasonably justified by differences in losses, expenses, or both, or by differences in the uncertainty of loss, for the individuals or risks to which the rates apply. A reasonable justification shall be supported by a reasonable classification system; by sound actuarial principles when applicable; and by actual and credible loss and expense statistics or, in the case of new coverages and classifications, by reasonably anticipated loss and expense experience. A rate is not unfairly discriminatory because it reflects differences in expenses for individuals or risks with similar anticipated losses, or because it reflects differences in losses for individuals or risks with similar expenses.

(2) A determination concerning the existence of a reasonable degree of competition with respect to subsection (1)(a) shall take into account a reasonable spectrum of relevant economic tests, including the number of insurers actively engaged in writing the insurance in question, the present availability of such insurance compared to its availability in comparable past periods, the underwriting return of that insurance over a period of time sufficient to assure reliability in relation to the risk associated with that insurance, and the difficulty encountered by new insurers in entering the market in order to compete for the writing of that insurance.

**SEC. 2109A. (1) ALL RATES FOR AUTOMOBILE INSURANCE SHALL BE REVIEWED BY THE DIRECTOR BY EXAMINING THE INSURER'S REPORT PREPARED UNDER SECTION 2128 AND ANY INPUT RECEIVED UNDER A PUBLIC HEARING UNDER SECTION 2107B AND SHALL BE MADE IN ACCORDANCE WITH TOTAL RETURN RATING AND THE FOLLOWING PROVISIONS:**

**(A) RATES SHALL NOT BE EXCESSIVE, INADEQUATE, OR UNFAIRLY DISCRIMINATORY. A RATE SHALL NOT BE APPROVED BY THE DIRECTOR UNLESS IT IS ACTUARIALLY JUSTIFIED BASED UPON THE INFORMATION RECEIVED UNDER SECTION 2128. THE DIRECTOR MAY EXAMINE THE PERCENTAGE OF UNINSURED DRIVERS IN THE STATE IN MAKING A DETERMINATION UNDER THIS SUBDIVISION. THE PERCENTAGE OF UNINSURED DRIVERS MAY BE OBTAINED FROM INFORMATION, INCLUDING, BUT NOT LIMITED TO, STATISTICS AND DATA FROM THE INSURANCE INFORMATION INSTITUTE, THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, AND LAW ENFORCEMENT AGENCIES.**

**(B) A RATE SHALL NOT BE HELD TO BE INADEQUATE UNLESS THE RATE, AFTER CONSIDERATION OF INVESTMENT INCOME AND SURPLUS, IS UNREASONABLY LOW FOR THE INSURANCE COVERAGE PROVIDED AND IS INSUFFICIENT TO SUSTAIN PROJECTED LOSSES AND EXPENSES; OR UNLESS THE RATE IS UNREASONABLY LOW FOR THE INSURANCE PROVIDED AND THE USE OF THE RATE HAS OR WILL HAVE THE EFFECT OF DESTROYING COMPETITION AMONG INSURERS, CREATING A MONOPOLY, OR CAUSING A KIND OF INSURANCE TO BE UNAVAILABLE TO A SIGNIFICANT NUMBER OF APPLICANTS WHO ARE IN GOOD FAITH ENTITLED TO PROCURE THAT INSURANCE THROUGH ORDINARY METHODS.**

**(C) A RATE FOR A COVERAGE IS UNFAIRLY DISCRIMINATORY IN RELATION TO ANOTHER RATE FOR THE SAME COVERAGE IF THE DIFFERENTIAL BETWEEN THE RATES IS NOT REASONABLY JUSTIFIED BY DIFFERENCES IN LOSSES, EXPENSES, OR BOTH, OR BY DIFFERENCES IN THE UNCERTAINTY OF LOSS, FOR THE INDIVIDUALS OR RISKS TO WHICH THE RATES APPLY. A REASONABLE JUSTIFICATION SHALL BE SUPPORTED BY A REASONABLE CLASSIFICATION SYSTEM; BY SOUND ACTUARIAL PRINCIPLES WHEN APPLICABLE; AND BY ACTUAL AND CREDIBLE LOSS AND EXPENSE STATISTICS OR, IN THE CASE OF NEW COVERAGES AND CLASSIFICATIONS, BY REASONABLY ANTICIPATED LOSS AND EXPENSE EXPERIENCE. A RATE IS NOT UNFAIRLY DISCRIMINATORY BECAUSE IT REFLECTS DIFFERENCES IN EXPENSES FOR INDIVIDUALS OR RISKS WITH SIMILAR ANTICIPATED LOSSES, OR BECAUSE IT REFLECTS DIFFERENCES IN LOSSES FOR INDIVIDUALS OR RISKS WITH SIMILAR EXPENSES.**

**(2) THE DIRECTOR SHALL NOT APPROVE A RATE INCREASE FOR AUTOMOBILE INSURANCE UNLESS THE DIRECTOR DETERMINES THAT THE DATA RECEIVED FROM THE REPORT PREPARED PURSUANT TO SECTION 2128 JUSTIFIES A RATE INCREASE. THE DIRECTOR SHALL NOT APPROVE A RATE INCREASE BY EXAMINING ACTUARIAL DATA FROM A LINE OTHER THAN THE INSURER'S AUTOMOBILE INSURANCE LINE OR IF THE INSURER FAILS TO FILE THE DATA REQUIRED BY**

**SECTION 2128. THE DIRECTOR SHALL NOT APPROVE A RATE INCREASE IF THE DIRECTOR FINDS THE INSURER'S ADMINISTRATIVE EXPENSES TO BE EXCESSIVE.**

(3) EACH INSURER SHALL SUBMIT ANNUALLY TO THE DIRECTOR A COMPLETE BREAKDOWN OF LITIGATION COSTS ASSOCIATED WITH FIRST AND THIRD PARTY AUTOMOBILE INSURANCE CLAIMS THAT HAVE BEEN RECEIVED OR ARE IN THE PROCESS OF BEING LITIGATED AND OF AMOUNTS RESERVED TO BE USED FOR THOSE EXPENSES. THE DIRECTOR SHALL NOT APPROVE A RATE IF THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE LITIGATION OF FIRST PARTY CLAIMS EXCEED 1% OF THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE LITIGATION OF THIRD PARTY CLAIMS. EACH AUTOMOBILE INSURANCE INSURER'S TOTAL ADMINISTRATIVE EXPENSES SHALL BE ALLOCATED TO EACH TERRITORY ACCORDING TO THE INSURER'S PROPORTIONATE SHARE OF PREMIUM WRITTEN IN EACH TERRITORY. EACH PREMIUM CHARGED WITHIN EACH TERRITORY SHALL CONTAIN AN EQUAL SHARE OF THE ADMINISTRATIVE EXPENSE FOR THE TERRITORY. RATES SHALL BE FILED AND CHARGED UNDER THIS SECTION SO THAT EACH AUTOMOBILE INSURANCE PREMIUM INCLUDES AN EQUAL SHARE OF EACH INSURER'S OVERALL ADMINISTRATIVE EXPENSE.

**SEC. 2109B. (1) IF THE DIRECTOR DETERMINES THAT ANY PERSON OR ORGANIZATION HAS VIOLATED THE AUTOMOBILE RATE-MAKING OR UNDERWRITING PROVISIONS OF THIS CHAPTER, THE DIRECTOR MAY ISSUE A CEASE AND DESIST ORDER AND ORDER THE PERSON OR ORGANIZATION TO PAY A CIVIL FINE OF NOT MORE THAN \$500.00 FOR EACH VIOLATION AND A CIVIL FINE OF NOT MORE THAN \$5,000.00 FOR EACH WILLFUL VIOLATION. A DEFAULT IN THE PAYMENT OF A CIVIL FINE UNDER THIS SECTION MAY BE REMEDIED BY ANY MEANS AUTHORIZED UNDER THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.101 TO 600.9947.**

(2) IF THE DIRECTOR FINDS THAT A VIOLATION OF THE AUTOMOBILE RATE-MAKING OR UNDERWRITING PROVISIONS OF THIS CHAPTER HAS OCCURRED AND THAT THE VIOLATION HAS RESULTED IN AN INCREASE IN AUTOMOBILE INSURANCE PREMIUMS OR A DECREASE IN BENEFITS, THE DIRECTOR SHALL ORDER THE INSURER TO RETURN THE PREMIUM OR THE AMOUNT OF BENEFITS THAT SHOULD HAVE BEEN PAID, ALONG WITH A SIMPLE INTEREST CHARGE OF 12% PER ANNUM TO BE APPLIED FROM THE TIME THE PREMIUM WAS COLLECTED OR THE BENEFIT WAS DUE OR WOULD HAVE BEEN DUE TO THE CONSUMER.

(3) THE DIRECTOR MAY SUSPEND THE LICENSE OF AN INSURER THAT FAILS TO COMPLY WITH THE DIRECTOR'S ORDER TO CORRECT A VIOLATION OF THIS CHAPTER.

**Sec. 2110. (1) In developing and evaluating rates pursuant to the standards prescribed in ~~section~~ SECTIONS 2109 AND 2109A, due consideration shall be given to past and prospective loss experience within and outside this state; to catastrophe hazards, if any; to a reasonable margin for underwriting profit and contingencies; to dividends, savings, or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members, or subscribers; to past and prospective expenses, both countrywide and those specially applicable to this state exclusive of assessments under this ~~code~~ ACT; to assessments under this ~~code~~ ACT; to underwriting practice and judgment; and to all other relevant factors within and outside this state.**

(2) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers to reflect the requirements of the operating methods of the insurer or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof for which subdivision or combination separate expense provisions are applicable.

(3) Risks may be grouped by classifications for the establishment of rates and minimum premiums. The classifications may measure differences in losses, expenses, or both.

**Sec. 2114. (1) A person or organization aggrieved with respect to any filing ~~which~~ THAT is in effect and ~~which~~ THAT affects the person or organization may make written application to the ~~commissioner~~ DIRECTOR for a hearing on the filing. However, the insurer or rating organization ~~which~~ THAT made the filing shall not be authorized to proceed under this subsection. The application shall specify the grounds to be relied upon by the applicant. If the ~~commissioner~~ DIRECTOR finds that the application is made in good faith, that the applicant would be so aggrieved if the grounds specified are established, or that the grounds specified otherwise justify holding a hearing, the ~~commissioner~~ DIRECTOR, not more than 30 days after receipt of the application, shall hold a hearing in accordance with ~~Act No. 306 of the Public Acts of 1969, as amended~~ THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, upon not less than 10 days' written notice to the applicant, the insurer, and the rating organization ~~which~~ THAT made the filing.**

(2) If after hearing initiated under subsection (1) or upon the ~~commissioner's~~ DIRECTOR'S own motion pursuant to ~~Act No. 306 of the Public Acts of 1969, as amended~~ THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, the ~~commissioner~~ DIRECTOR finds that a filing does not meet the requirements of sections 2109, and 2109A, OR 2111, AS APPLICABLE, the ~~commissioner~~ DIRECTOR shall issue an order stating the specific reasons for that finding. The order shall state when, within a reasonable time after issuance of the order, the filing

shall be considered no longer effective. A copy of the order shall be sent to the applicant, if any, and to each insurer and rating organization subject to the order. The order shall not affect a contract or policy made or issued before the date the filing becomes ineffective, as indicated in the ~~commissioner's~~ **DIRECTOR'S** order.

Sec. 2115. (1) If as part of a decision in a proceeding under section 2114, or in a separate proceeding on the ~~commissioner's~~ **DIRECTOR'S** own motion, held pursuant to Act No. 306 of the Public Acts of 1969, as amended **THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328**, the ~~commissioner~~ **DIRECTOR** finds that a reasonable degree of competition does not exist on a statewide basis with respect to ~~automobile insurance or home insurance~~, the ~~commissioner~~ **DIRECTOR** shall by order require each insurer which ~~THAT~~ transacts that type of **HOME** insurance in this state to comply with the provisions of chapter 24 or 26. ~~as the case may be, with respect to that insurance which was the subject of the commissioner's finding.~~ The order shall take effect not less than 90 nor more than 150 days after the order is issued. On or after the effective date of an order issued under this subsection, none of the provisions of this chapter shall be applicable to the ~~HOME~~ insurance. ~~which was the subject of the order.~~

(2) After an order issued pursuant to ~~UNDER~~ subsection (1) has been in effect for 1 year, if the ~~commissioner~~ **DIRECTOR** has reason to believe that there would be a reasonable degree of price competition for the type of insurance affected by the order, or if, upon the petition of an insurer or a resident of this state, there is a showing that there is reason to believe that there would be a reasonable degree of price competition, for that type of insurance, the ~~commissioner~~ **DIRECTOR** shall hold a hearing pursuant to Act No. 306 of the Public Acts of 1969, as amended **THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328**, to determine if a reasonable degree of price competition would exist if the order were no longer in effect. The hearing shall be held upon not less than 20 days' written notice to each insurer subject to the order and upon not less than 20 days' notice in not less than 3 newspapers of general circulation within this state.

(3) If the ~~commissioner~~ **DIRECTOR** finds after the hearing that a reasonable degree of price competition would exist, the ~~commissioner~~ **DIRECTOR** shall by order state when, not less than 90 nor more than 150 days after issuance of a new order, the preceding order will no longer be effective. On and after the effective date of an order issued under this subsection, the provisions of this chapter shall be applicable to the type of **HOME** insurance. ~~which was the subject of the order."~~

2. Amend page 6, line 1, by inserting:

**"SEC. 2111F. (1) BY 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, AN INSURER SHALL FILE RATES FOR AUTOMOBILE INSURANCE THAT REFLECT FOR ALL COVERAGES AN OVERALL AVERAGE RATE REDUCTION OF 50% OR MORE OF THE AVERAGE RATE CHARGED FOR ALL COVERAGES BY THE AUTOMOBILE INSURER ON MAY 1, 2019. THE RATE REDUCTION OR PREMIUM FOR A SPECIFIED INSURED MAY VARY BECAUSE OF DISCOUNTS, SURCHARGES, APPLICATION OF RATING FACTORS, AND COVERAGE SELECTION.**

**(2) THIS SECTION APPLIES TO ALL POLICIES OF AUTOMOBILE INSURANCE OR HOME INSURANCE OFFERED, BOUND, MADE, ISSUED, DELIVERED, OR RENEWED IN THIS STATE, INCLUDING AUTOMOBILE OR HOME INSURANCE WRITTEN ON A GROUP, FRANCHISE, BLANKET POLICY, OR SIMILAR BASIS."**

3. Amend page 10, following line 3, by inserting:

**"Sec. 2127. The ~~commissioner~~ **DIRECTOR** may by ORDER OR rule prospectively require insurers, rating organizations, and advisory organizations to collect and report data only to the extent necessary to monitor and evaluate the automobile and home insurance markets in this state. The ~~commissioner~~ **DIRECTOR** shall authorize the use of sampling techniques in each instance where sampling is practicable and consistent with the purposes for which the data are to be collected and reported. ORDERS ISSUED OR RULES PROMULGATED UNDER THIS SECTION ARE IN ADDITION TO, AND DO NOT REPLACE, THE REPORTING REQUIREMENTS IN SECTION 2128.**

**SEC. 2128. ON OR BEFORE APRIL 1 OF EACH YEAR, EACH INSURER WHO ISSUES AUTOMOBILE INSURANCE IN THIS STATE SHALL FILE WITH THE DIRECTOR ON FORMS PRESCRIBED BY THE DIRECTOR, THE FOLLOWING AUTOMOBILE INSURANCE DATA, BY TERRITORY, FOR THE PRIOR CALENDAR YEAR:**

**(A) WITH RESPECT TO PERSONAL PROTECTION INSURANCE COVERAGE:**

**(i) THE NUMBER OF CLAIMS FOR PERSONAL PROTECTION INSURANCE BENEFITS FOR WHICH PAYMENT IS MADE.**

**(ii) THE NUMBER OF CLAIMS FOR PERSONAL PROTECTION INSURANCE BENEFITS THAT ARE CLOSED WITHOUT PAYMENT.**

**(iii) THE NUMBER OF CLAIMS FOR PERSONAL PROTECTION INSURANCE BENEFITS THAT INVOLVE SOME FORM OF LITIGATION AND ARE CLOSED WITHOUT PAYMENT.**

**(iv) THE NUMBER OF CLAIMS FOR PERSONAL PROTECTION INSURANCE BENEFITS THAT INVOLVE LITIGATION AND FOR WHICH PAYMENT IS MADE AFTER LITIGATION COMMENCES, INCLUDING THE LENGTH OF TIME BETWEEN THE FILING OF THE CLAIM AND THE FIRST PAYMENT.**

(v) THE AMOUNT OF INTEREST CHARGES PAID ON CLAIMS FOR PERSONAL PROTECTION INSURANCE BENEFITS AND THE NUMBER OF CASES FOR WHICH INTEREST CHARGES HAVE BEEN PAID.

(vi) THE LITIGATION COSTS FOR CLAIMS FOR PERSONAL PROTECTION INSURANCE BENEFITS.

(vii) THE NUMBER OF CASES GOING TO VERDICT AND THE AMOUNT OF THE VERDICT IN THOSE CASES WHERE AN AWARD IS MADE.

(viii) THE NUMBER OF VERDICTS OF NO CAUSE OF ACTION.

(ix) THE NUMBER OF CASES WHERE ATTORNEY FEES ARE PAID, THE TOTAL AMOUNT OF ATTORNEY FEES PAID, AND THE AMOUNT OF ATTORNEY FEES PAID FOR EACH CASE WHERE FEES WERE PAID.

(B) WITH RESPECT TO RESIDUAL LIABILITY INSURANCE COVERAGE:

(i) THE NUMBER OF THIRD PARTY AUTOMOBILE BODILY INJURY TORT CLAIMS CLOSED BY PAYMENT TO THE CLAIMANT BEFORE THE COMMENCEMENT OF LITIGATION AND A BREAKDOWN OF HOW MANY OF THESE CLAIMS WERE DEATH THRESHOLD CLAIMS, SERIOUS IMPAIRMENT OF BODY FUNCTION THRESHOLD CLAIMS, AND PERMANENT SERIOUS DISFIGUREMENT THRESHOLD CLAIMS.

(ii) THE NUMBER OF THIRD PARTY AUTOMOBILE BODILY INJURY TORT CLAIM LAWSUITS FILED, AND A BREAKDOWN OF HOW MANY WERE FILED FOR DEATH THRESHOLD CLAIMS, SERIOUS IMPAIRMENT OF BODY FUNCTION THRESHOLD CLAIMS, AND PERMANENT SERIOUS DISFIGUREMENT THRESHOLD CLAIMS.

(iii) THE NUMBER OF THIRD PARTY AUTOMOBILE BODILY INJURY TORT CLAIMS CLOSED BY PAYMENT TO THE CLAIMANT AFTER THE COMMENCEMENT OF LITIGATION AND A BREAKDOWN OF HOW MANY OF THESE CLAIMS WERE DEATH THRESHOLD CLAIMS, SERIOUS IMPAIRMENT OF BODY FUNCTION THRESHOLD CLAIMS, AND PERMANENT SERIOUS DISFIGUREMENT THRESHOLD CLAIMS.

(iv) THE DOLLAR AMOUNT PAID TO CLAIMANTS TO SETTLE THIRD PARTY AUTOMOBILE BODILY INJURY TORT CLAIMS BEFORE AND AFTER LITIGATION HAD BEEN COMMENCED AND A BREAKDOWN OF THE DOLLAR AMOUNTS PAID FOR DEATH THRESHOLD CLAIMS, SERIOUS IMPAIRMENT OF BODY FUNCTION THRESHOLD CLAIMS, AND PERMANENT SERIOUS DISFIGUREMENT THRESHOLD CLAIMS.

(v) THE NUMBER AND DOLLAR AMOUNT PAID OR RESERVED FOR ALL BODILY INJURY CLAIMS SET UP OR OPENED, INDICATING THE NUMBER AND DOLLAR AMOUNT OF RESERVES FOR CLAIMS REMAINING OPEN AT THE END OF THE REPORTING PERIOD.”.

4. Amend page 78, following line 25, by inserting:

“Enacting section 1. Sections 2107 and 2131 of the insurance code of 1956, 1956 PA 218, MCL 500.2107 and 500.2131, are repealed.” and renumbering the remaining enacting section.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Chang requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

#### Roll Call No. 58

#### Yeas—16

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Polehanki
Bayer	Geiss	McCann	Santana
Brinks	Hertel	McMorrow	Wojno

#### Nays—22

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Bullock offered the following amendment:

1. Amend page 79, following line 2, by inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 88 of the 100th Legislature is enacted into law.”

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Chang requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 59**

**Yeas—16**

Alexander	Bullock	Hollier	Moss
Ananich	Chang	Irwin	Polehanki
Bayer	Geiss	McCann	Santana
Brinks	Hertel	McMorrow	Wojno

**Nays—22**

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

**Excused—0**

**Not Voting—0**

In The Chair: President

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 60**

**Yeas—24**

Barrett	Johnson	McBroom	Shirkey
Bizon	LaSata	Nesbitt	Stamas
Bumstead	Lauwers	Outman	Theis
Daley	Lucido	Runestad	VanderWall

Hollier  
Horn

MacDonald  
MacGregor

Santana  
Schmidt

Victory  
Zorn

### Nays—14

Alexander  
Ananich  
Bayer  
Brinks

Bullock  
Chang  
Geiss  
Hertel

Irwin  
McCann  
McMorrow

Moss  
Polehanki  
Wojno

### Excused—0

### Not Voting—0

In The Chair: President

Senator Hollier offered to amend the title to read as follows:

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 150, 2105, 2108, 2118, 2120, 3101, 3101a, 3104, 3107, 3111, 3112, 3113, 3114, 3115, 3135, 3142, 3148, 3157, 3163, 3172, 3173a, 3174, 3175, and 3177 (MCL 500.150, 500.2105, 500.2108, 500.2118, 500.2120, 500.3101, 500.3101a, 500.3104, 500.3107, 500.3111, 500.3112, 500.3113, 500.3114, 500.3115, 500.3135, 500.3142, 500.3148, 500.3157, 500.3163, 500.3172, 500.3173a, 500.3174, 500.3175, and 500.3177), section 150 as amended by 1992 PA 182, section 2108 as amended by 2015 PA 141, sections 2118 and 2120 as amended by 2007 PA 35, section 3101 as amended by 2017 PA 140, section 3101a as amended by 2018 PA 510, section 3104 as amended by 2002 PA 662, section 3107 as amended by 2012 PA 542, section 3113 as amended by 2016 PA 346, section 3114 as amended by 2016 PA 347, section 3135 as amended by 2012 PA 158, section 3163 as amended by 2002 PA 697, sections 3172, 3173a, 3174, and 3175 as amended by 2012 PA 204, and section 3177 as amended by 1984 PA 426, and by adding sections 261, 1245, 2116b, 3107c, 3107d, 3107e, 3157a, and 3157b and chapter 63.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

### Protests

Senators McMorrow, Bayer, Irwin, Hertel, Moss, Chang, Geiss and Bullock, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator McMorrow’s statement, in which Senator Bayer concurred, is as follows:

As someone new to the Legislature I was excited to take on this important issue facing Michigan residents. I was excited for the opportunity to work together in a bipartisan fashion to find solutions for our residents.

So you can imagine my disappointment when yesterday we found these bills would be taken up, possibly moving forward all the way as they have, to a vote on the floor and that last night was the first time I’d seen any of this language on a 78-page bill that wasn’t even given up to us to review until 7 p.m. last night.

And worse, there was absolutely no attempt to bring us into the conversation about this issue, which begs the question, to me – Why don’t the 280,000 residents in cities like Berkley, Clawson, Royal Oak, and Troy get a voice and a seat at the table in a conversation that’s been abundantly clear is one of the most important issues facing our state?

The overwhelming consensus from my colleagues is that their residents want to see rate reductions. And that we can all agree on. There is even a campaign out on social media using the hashtag “if my rates were lower” asking residents what they would do with the cost savings, and I love that, collecting stories and involving the community.

One woman said she’d take a trip up north. Another resident said he’d buy a new Michigan-made car. Others said they would pay off bills or spend more time with their kids, which is why it is so disconcerting to me that there is nothing,

not one thing in Senate Bill No. 1 that would guarantee rate reductions – that would mandate that insurance companies pass their cost savings outlined in this bill to their consumers.

It is disingenuous to claim that this bill guarantees rate reductions to our residents when the only guarantees in this bill are drastic cuts to coverage and significantly reduced costs for insurance companies.

What does this mean? That there is a very real possibility that all of our residents will have their coverage slashed with no cost savings whatsoever.

In its current form all the bill does is allow insurance companies to increase their profit margins with no consumer protection in mind. There is also no language in the bill about where these costs will shift. What coverage will be lost? What will the increase be on our health insurance?

For example, in Colorado, a state that eliminated their no-fault system for a tort system in 2003, there is legislation being proposed now to effectively create an MCCA on the healthcare side because costs there have ballooned to an insurmountable rate.

Shifting costs is not a real solution for the residents of Michigan. Now there is a lot of good work in this bill to start the conversation and I appreciate the work that my colleagues have done thus far. But we need to work together. We need to bring every resident's voice to the table and we will hurt our residents if we drastically cut their healthcare coverage without guaranteed, substantial rate reduction.

I urge a “no” vote on Senate Bill No. 1.

Senator Irwin's statement, in which Senator Hertel concurred, is as follows:

I am disappointed to be standing here debating Senate Bill No. 1, such an important issue that has had such a truncated and false debate and process here in the chamber. It was rushed through committee and is now being rushed through the floor process and I think that's indicative of the product we have here in front of us. There's been no real negotiation and so all we're left with is the posturing and that's what we see in Senate Bill No. 1.

But even in the short, relatively truncated review that those of us on this side of the aisle have had to actually read the legislation—this important legislation that's going to affect all 10 million people in this state—it's obvious that it fails to address the challenge that our citizens have with expensive auto insurance. The bill utterly fails to mandate rate reduction and we heard a lot about that in the previous speech just before this. I would point out that there's a tremendous amount of trust in this chamber of the insurance companies—that they are going to see lower costs and then pass those lower costs on to our residents.

I can tell you from talking to my residents that they don't have the same brimming cup of trust for these insurance companies that have been overcharging them for decades. This bill also fails because it does not require prior authorization of rates. The best states in the country that are doing the best job of holding down auto insurance rates for their citizens require that those rates be justified before they're rolled out to the citizens. This state does not do that. This state allows insurance companies to just set their rates. There's a lot of trust in the market. There's a lot of trust that these insurance companies are just going to do the right thing, even though our citizens know that they haven't been for decades.

Also, this bill failed to take action on red-lining and discrimination in insurance rates. This bill allows the use of non-driving factors that would allow a situation where a good driver in the wrong zip code is going to pay more than a terrible driver who lives across the street in a better, whiter zip code. There was an amendment put on the bill that purported to deal with red-lining. I would encourage you to read that amendment. If you read that amendment, you'll notice that it says nothing about stopping red-lining. It only prevents them from refusing to insure people who live in certain neighborhoods, and the final sentence says that the insurer recognizes those practices that constitute red-lining. This amendment requires the insurance companies themselves to blow the whistle on themselves while red-lining in order for the amendment to be effective. The amendment to prevent red-lining does nothing and red-lining and discrimination will continue in our insurance rates with the passage of Senate Bill No. 1 meaning the citizens who need the most relief won't get it.

Also there's a huge giveaway to the insurance companies—I haven't heard anybody talk about it; I haven't heard this resolved yet—at the end of the day, when this MCCA has money left over, what happens to that money? That money gets pocketed by the insurance companies is what happens. For our citizens who have been overpaying rates for MCCA for years, every year, the MCCA revises their actual costs to be dramatically lower than their estimated costs. Every year, year after year.

The reason that I'm most opposed to this legislation is because this fails our neighbors who are catastrophically injured. You might say, sure, it's only one percent of accident victims who are catastrophically injured but these people have their lives and their family's lives turned upside-down. Right now in Michigan, those folks get the kind of attendant care, they get someone to come and help them toilet. They get someone to come and help them get out of bed in the morning. This bill is going to take that away from those catastrophically injured people and their families. It's going to leave their families in Medicaid to care for them. You all know that our Medicaid budget is a mess. You know that we're not providing the kind of support to our vulnerable citizens that we need to and now, we're going to put more pressure on Medicaid to pick up the freight that we're relieving from these insurance companies?

I can't believe this. This is all about foisting the liability of the dramatically injured people from car accidents off the backs of the insurance companies who have been paid for that and putting it on the backs of the Medicaid program where people will get worse care and the taxpayers will fund it. Are you ready to tell those families that they can't get the attendant care they need? Are you ready to tell that mother of an injured daughter that they have to quit their job to stay home and make sure their daughter can get out of bed in the morning or wipe their behind? That's what this is going to do. That's the kind of pain that this is going to bring on our people, and this bill utterly fails to address any of the real problems and the reason it utterly fails is because there's been no real negotiation on how to fix these problems for our people. It's just been complete trust in the insurers who have sent their message to this chamber.

I leave with this—I urge you all to vote “no.” This bill is going to mean that insurance companies win and Michigan citizens lose.

Senator Moss' statement is as follows:

I'm rising to speak against Senate Bill No. 1 and I'm speaking on behalf of the car accident victims that I know, especially Grant Anderson, who was a friend of mine in high school.

In high school, Grant was charismatic, charming, and incredibly musically gifted. We were both in several theatre productions together and he had this beautiful singing voice. He played the piano and even taught me how to plunk out a few songs that I can still remember how to play. He was that kid in high school who really had everything going for him.

And in August of 2007 when we were in college, Grant was returning from Bible youth camp in Ontario, heading into Michigan, when he was blinded by the summer sun and rear-ended into the back of a semi at full speed. He was trapped under the truck for an hour as seven crew members rescued him from his own car.

In the early days of social media activism in 2007, Grant's sister started a Facebook group called “Prayers for Grant” – because he suffered a traumatic brain injury, was in a coma for six weeks, he was in grave condition, he was expected not to survive, and that's all we could do, was pray.

But prayers were answered, Mr. President, in the form of his auto no-fault insurance.

Through countless hours of surgery, medical procedures, and therapy, Grant survived, and he's made a dramatic, significant progress in his condition and has exceeded all expectations. He had a portion of his skull removed, which actually saved his life. It took Grant a year to learn to sit up and then walk with a cane while somebody held his belt. Twelve years later from this accident, he's still working on his improvement.

Grant would not have had that life-saving medical care if he had capped his medical coverage after his accident, or if the unlimited system collapsed because too many others capped their coverage. The unlimited system is there because people are in it and this idea that it's choice, it's not choice for me when I choose the unlimited system and people leave it for a capped system.

For the four years that I've been here, and longer, the majority has allowed this conversation of insurance reform to poison the public with toxicity about no-fault. Just this year, just at the end of March, I got a Facebook message to my office account from a constituent who pleaded with me to end no-fault. He called it a failure, and then in the next sentence, he lamented that no-fault allows zip code discrimination in Oak Park to increase his rates. I feel him. I live five streets away from Eight Mile Road in Southfield and the discriminatory red-lining that unjustly impacts Detroit enters into my district as well in Southfield and Oak Park and Ferndale and elsewhere.

But gutting no-fault and life-saving medical coverage will not end red-lining. It will not even guarantee rate reduction. It will not end the discriminatory practices that plague the residents of my district which is exactly what some of us on this side of the aisle have proposed to ban. And it will not reform all of the inefficiencies in the insurance industry that keep our rates high.

One of the people who knows this best is Grant's father, who I spoke with yesterday. He spent 30 years working in the insurance industry. An example he gave me: for years the insurance company refused to provide the Anderson family with the handicap accessible van, instead spending hundreds of dollars each time Grant travels to appointments. It has spent thousands and thousands of dollars on travel when they could have provided a van that would have lasted just as long. And twelve years later the Andersons are still in negotiation for a van that would save everyone in this system money and time.

The insurance industry says no-fault costs are unsustainable but none of the areas of this legislation reforms the expensive, dumb, bad practices. Instead the solution is just throw out the whole system entirely. This is a particularly cruel punishment to impose on Michigan auto-accident victims, especially Grant, given the circumstances of his accident.

Because his accident happened in Canada, the Canadian government would have settled to pay for Grant's medical care for the rest of his life. His family irreversibly waved that settlement because they knew that Michigan's premier auto no-fault system would cover Grant's needs and expenses.

Now here we are debating legislation in Michigan to reduce coverage, to pull the rug out from families like Grant if their current coverage collapses.

Part of the reason, Mr. President, I am so incensed by this legislation is that Grant and I grew up within the same community. We went to the same high school. We were involved in the same extra-curricular activities. We were friends.

And Grant didn't have any preexisting conditions that I didn't have, he didn't have any symptoms that I didn't have. We were on the same life track and what happened to Grant could have easily happened to me, or anyone in our high school, or anyone in this chamber, or anyone in this state.

Through the therapy that receives, he is able to continue to recover. He plays the piano now with one hand and can sight-read music even though he is blind on the left side of both of his eyes. A speech pathologist once told him that he would never sing like he did before. Grant said "no I won't. I'll sing even better."

Mr. President, this is just one family's story in Michigan. And up until 2007, the Andersons were no different than the Mosses. But there are countless families throughout the state whose life paths aren't like mine, and they aren't like yours, and presumably they aren't like everybody else in this chamber. They took tragic twists and turns that caused them to rely on no-fault.

And for them, I cast a "no" vote today.

Senator Chang's statement is as follows:

I rise to give my "no" vote explanation regarding Senate Bill No. 1.

Michiganders agree, and we in this chamber agree, on the goal of lowering auto insurance rates in our state. From my first campaign until now, and certainly my last campaign, it's an issue that residents have talked to me about on the doors, at community meetings, at coffee hours, and at several town halls, both ones that I've hosted, and others that I've spoken at. And of course, living in Detroit, I know the story of high auto insurance rates pretty well myself.

We all support reducing rates, but we have to do it, first of all we have to actually reduce rates, but we also have to do it in a way that's the most responsible for our residents. In my conversations with residents in my district, they have had many questions about car insurance, and when they are given the opportunity to fully engage in a conversation and actually learn the details, they understand: proposals like this are a step backward. I do not believe that this bill is the right way, and in fact, I don't think, in disagreement with my colleague from the 2nd District, that this isn't the perfect being the enemy of the good or anything like that, this is about this bill actually doing considerable harm to our communities. And I believe that our residents deserve better. Senate Bill No. 1 dramatically cuts important medical benefits without giving Michiganders the long-term rate reductions that are truly meaningful for their lives. The Department of Insurance and Financial Services still has no mechanism to make sure that the consumer gets a rate reduction until we put that into statute, and we failed to do that today. Michigan deserves better.

Senate Bill No. 1 fails to truly address important factors in determining the high insurance costs that many of my residents pay, simply because of what neighborhood they live in, or literally what side of a street or corner they live on. From zip codes to educational attainment, whether the individual is a widow, or a veteran, to credit scores, these have been studied over and over again, and determined to have a dramatic impact on what a driver is forced to pay. The difference between having a poor credit score and an excellent credit score can be nearly \$3,400 in your car insurance premium. We need to fix these problems, and in fact, we have proposals in this chamber regarding this solution, and several members of the majority party have co-sponsored them. Unfortunately, this bill does not do that. Our residents deserve better.

Let's talk about the \$65.9 million dollar increase in Medicaid costs after a 10-year period of enactment of this bill. I echo my colleague from the 13th District, and I believe that shifting costs is, again, not a solution. The people most likely to take a reduced benefit option are going to be those from lower-income households, and putting some of my residents and your residents too, into a position where they could be bankrupt and on Medicaid, is not a solution. This bill will likely just widen the gap that we already have between those who have and those who are already struggling to get by. Michiganders deserve better.

Here's the bottom line: under this bill, the most vulnerable in our communities will be harmed. We must take care of people in their greatest time of need, when they suffer a traumatic car accident, and end up with a disability or brain injury. As lawmakers, it is our responsibility to keep vulnerable populations, the people struggling in our state, people with disabilities, first and foremost, as we make decisions that greatly impact their lives. I don't know about you, but I'm here to fight for them, not their car insurance companies. There are great bipartisan ideas about how to reform auto no-fault in this chamber that would reduce rates through common-sense reforms that I would bet many of us already agree on. So let's have a real conversation about this issue. Let's reform auto insurance in a way that's responsible, and doesn't negatively impact the most vulnerable folks in our state in their greatest time of need.

If any this speech sounds familiar to some of you, it's because it's almost identical to my floor speech in 2017 in the House. And I have to say, it's a bit disappointing to me that we are here, nearly a year and a half later, voting on a solution that is similarly irresponsible, and without the thorough and deliberative conversations that Michiganders deserve to have on a major issue that impacts their lives.

Colleagues, I urge you to vote "no" on Senate Bill No. 1.

Senator Geiss' statement is as follows:

Colleagues, I rise to urge a "no" vote on Senate Bill No. 1. Aside from the fact that this substitute is roughly 79 pages long, it was just introduced. I have many concerns with this legislation. First and foremost, this bill offers absolutely no relief for consumers. Then it puts insurance companies' bottom line over drivers' safety and well-being.

My colleagues on the other side of the aisle say this offers consumers a choice. But my question is: what choice? This legislation is gambling with the dice of life. It offers consumers a shiny, pretty, allegedly cheaper option, but potentially at the cost of their lives. It cheats them out of coverage without spelling out the cost for those choices. Who buys something without knowing what the cost of that thing is? That is what this legislation is for.

When I leave for work in the morning, as all of you, I know roughly what to expect on the commute. When I go to the market, I roughly know how much the weekly groceries are going cost. But like any of us, we don't know everything. I cannot comprehend the idea that—heaven forbid—any one of us get into a car accident that leaves us with a life-altering injury, or any of our loved ones. This legislation does not fully address sky-rocketing medical costs. It will drain the state's Medicaid budget when a person's insurance coverage runs out, but they still need medical care.

Colleagues, I simply cannot comprehend sitting somewhere in an ivory tower, collecting a six-figure paycheck on the backs on someone's loved one who lays in a hospital bed, hoping they will live to see another day.

The Governor asked us to meaningfully eliminate redlining and meaningfully prohibit insurance companies from using non-driving factors. We have not. The Governor sought more transparency in the Michigan Catastrophic Claims Association. This bill is ending its operations instead. The Governor also asked us to empower the state's insurance commissioner to not just look at rates but scrutinize them and that's not happening either.

But the Department of Insurance and Financial Services has told us—point blank—that they can only do what they are statutorily authorized to do. We could empower them to set rates; we could empower them to do the consumer protection on the front by changing from a received-file system to a prior-approval system. But we are not.

It is for these reasons, and may more, that I will be voting “no” on this legislation and I would urge my colleagues to join me in that vote until we have something that is real reform that reduces the costs for our residents.

Senator Bullock's statement is as follows:

This is about more than just affordable car insurance. As a Detroiter, guaranteed rate reductions in premiums and the non-driving factors are paramount. And at the crux, bipartisanship should be at the front of this. This is about affordable auto-insurance and the ending discriminatory and predatory practices for the citizens of my district, the city of Detroit and elsewhere in the state of Michigan. That's what I was elected to do, to protect the citizens from these inhumane practices.

I cannot in good conscience give the auto-insurers a get-around, if you will. I cannot in good conscience give the citizens yet another hollow promise then be preyed upon on the back end with loophole legalese and practically unenforceable laws.

The bill references the current law, the current system with the Department of Insurance and Financial Services. The current law is not sufficient and has not been sufficient. It has failed the citizens of Detroit and the state of Michigan. So to continue down this same path without the key mechanisms and some sort of guarantee is insanity.

Even when and where agencies were to provide consumer protections, they appear to align with the industry, whom through the proposed legislation has once again been given a windfall. And for the consumer, no relief in sight. No relief to these civil right infractions and historical racial redlining, and through the modern day redlining where non-driving factors that fundamentally have absolutely no bearing on the individual's driving abilities or ability to purchase these unguaranteed premiums - credit ratings used to penalize those who struggle the most as well as those unrelated factors of gender, education, location, and marital status, have not been constructively stricken from this bill or fruitfully been addressed in detail with less than 24-hours' notice to even review or vet. So we have to reevaluate what these 40-plus years of disenfranchising at-risk communities, especially communities of color, and the generational hardship caused by these reckless predatory laws has done and has divided us. But we all recognize that something needs to be done.

So I say again, guaranteed rate reductions and premiums and non-driving factors are at the crux of bipartisanship. If it's not bipartisan, it's not fair. If it's not fair, it's not affordable. If it's not affordable, it's immoral.

Senators Geiss, Nesbitt, Hertel, Hollier and Horn asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Geiss' statement is as follows:

Today I rise to offer an amendment that does what our residents have long asked for—guaranteed rate relief for auto insurance customers.

My constituents work hard for every dollar they earn. They're the people making your cars and working the midnight shift. They're the people working around the clock at DTW. They're our school teachers, our nurses, our local small business owners, and other working folks who just want to live their lives and raise healthy, happy families. But it's increasingly difficult to do that when you're just getting by a significant percentage of your household budget is your auto insurance bill.

So, I offer this amendment to guarantee a 50-percent rate reduction for drivers. And to further show that we have their backs, this amendment would require the Insurance Commissioner to give prior approval of rates set by insurance companies, much like any other entity in government, the Public Service Commission, already does for electricity rates.

I'm asking for you to show that you're not just here for the bottom line of insurance companies, but also for the wallets and bank accounts of the vast majority of customers. I ask for your support on my amendment.

Senator Nesbitt's first statement is as follows:

Currently when you purchase any other insurance, there are virtually unlimited other options whether it is life insurance, like my wife and I just purchased a few weeks ago for our expected child, or other options. The same will be true for drivers shopping around for auto insurance. A family with multiple new cars, with multiple drivers, who want the maximum comp and collision will have that choice, and we will see a little less savings than those who are driving a 20-year-old Buick from 1997 might want the limited PLPD option and would see a 70 or 80 percent savings. Giving drivers unlimited options means there will be unlimited levels of savings, depending on their choices. I urge a "no" vote on this amendment.

Senator Hertel's statement is as follows:

I rise to support the Bullock amendment. I appreciate this discussion on reform but any discussion on insurance reform should focus on things that will be good for the people. The Bullock amendment would tie-bar this bill to Senate Bill No. 88 which would limit the factors that can be considered when determining insurance rates. People's insurance rates should only be based on factors that are actually relevant to driving, but too many Michiganders are paying more for reasons that have nothing to do with that—nothing to do with how many tickets they have, nothing to do with how many accidents they've had.

This amendment would ensure that Michiganders are not charged more for insurance just because of their gender, zip code, credit score, marital status, or other factors that are not related to driving. Colleagues, in some extreme examples we have seen under the current system where someone with a DUI pays less than a woman living in the city of Detroit who has bad credit. Nobody—nobody—could believe that that is fair.

In this body, we don't work for the insurance companies, we don't work for those who are standing outside and asking us to vote "yes." In this body, we work for the people. The people deserve real insurance reform. Everyone agrees the current system is broken and I firmly believe that if we all sat down, we could come up with a better solution than this. But, we can't fix this without providing real reforms for the people of this state. I appreciate the work that's been done so far but we have to stop listening to those who are out there and start listening to our own constituents and remember that when we sit in this body, we work for them and real insurance reform guarantees that they are protected.

Senator Nesbitt's second statement is as follows:

Last week, Governor—our Governor, my Governor—directed the Department of Insurance and Financial Services to examine the use of non-driving factors in the setting of insurance rates. Such practices are very common in all financial products such as home loans or other insurance products and are allowed in just about all the states. It seems appropriate that we wait until the Governor's analysis is complete before the Legislature takes the kind of steps proposed by this amendment. I urge a "no" vote on this amendment.

Senator Hollier's statement is as follows:

I'd like to speak to this by beginning to reference an act that is particularly important to me. The Civil Rights Act of 1964 was landmark legislation. It's something that we all know and something that we all care about. What you may not know is that it took three tries. The first one in 1957 was garbage. It did not, in any way, shape, or form, eliminate simple things, like saying that lynching was illegal or unacceptable. They came back again in 1960 and did a little bit of a better job. But still, provided little to no coverage. Here we are now in 2019 and I will say we still have a long, long way to go.

I'm 33 years old and in the home I live in, every year, I pay \$7,500 per year in auto insurance, and I have cheap auto insurance in my neighborhood—some of the cheapest. We have cars that for the most part are almost a decade old—two of which are over a decade old. When I talk, when I go run, when I talk to folks, they are talking about the incredible cost of auto insurance. It's a problem for them, one they cannot deal with every day, one that we cannot continue to say we are looking for a better solution because I am. If there were a better solution, I would have voted "yes." I will vote "yes." On every amendment that came out today that my colleagues put forward, I was a "yes" and would be on any one of those things. A number of plans have come across and been said of that these are better options. We should do those things. Count me in. But today I have an opportunity to lower people's rates. Is it the best plan? No. Does it still have a long way to go? Absolutely. But I believe that's what the legislative process is here for.

President Lyndon Johnson is categorically known for his work on the Civil Rights Act. It's something he's always said he is the most proud of. But he is not the most proud of the 1964 act. He's most proud of the one that happened in the 50s, not because it was great but because it was garbage; because it was the hardest bill he's ever gotten done because never to that time, since Reconstruction, could he convince people who were flat-out racist to come on board, and they wouldn't. But for that one moment, he got them to open the door and I believe that this is the opening of the door. This is the first chance for us to amend legislation that hasn't changed in my lifetime.

When throughout that entire time, over the past ten years that I've been working in Lansing, every single elected member from Detroit or an urban community comes up and says, "my number one thing is to get rid of red-lining. It's to change the gender gaps. It's to make auto insurance more affordable." Have they had better plans? Yes. Are we going to keep working for a better one? God, I hope so. Today, we have an opportunity to make some difference.

Just my family alone, we're paying \$7,500 per year. If we could opt out of the PIP like more than 90 percent of Michigan residents can, that has the potential to save us almost \$4,000. I'd opt out. My neighbors would opt out. But the reality is that the majority of people I live near who I represent have already opted out because they aren't buying auto insurance. They can't afford to buy auto insurance. Can't drive. I had a town hall last night. A woman came to me and said, "What's going on with this auto insurance? I can't keep taking Uber. I can't keep taking Lyft. I can't ride the bus to the places I need to go and I can't afford an automobile. Can't afford to drive." That's what this is about.

This is about the beginning. I ask that my colleagues continue to move forward with this discussion and to believe that though this is the first step, it had better not be the last and that we will continue to work to make sure that it's better, that we get the type of rate relief that all of our constituents demand.

Senator Horn's statement is as follows:

It's been said earlier that this makes a great start for the conversation. Mr. President, this conversation has been going on for a very long time. I wrote my first reform bill 2007.

We saw this freight train coming at us way back then. The mood was a little different. We didn't get as much grassroots support, but things have changed. We are hearing, at our office hours, at our town-hall meetings, in our coffee shops, at the grocery store—wherever we go—Mr. President, we're hearing from our residents, and they want change.

It was brought into focus to me the day after the election in 2014 as I was pumping gas at the 7-11 right by St. Mary's Hospital out on Washington Avenue in Saginaw. I had a fellow poke his head around the gas pump. He said "are you Ken Horn, the politician guy?" I said "yeah, I guess so." He said "what are you going to do about car insurance?"

Here's his story: he is a dishwasher in the back of the house at a local kitchen. He is laid off six months out of every year, so I probably shouldn't tell you this, but for six months he drives without car insurance—can't afford it. He drives a clunker, Mr. President. You know on the other hand, you have people that have modeled their businesses in Michigan over this law that we have and if I give you this fictional character of Ben the brain injury specialist who may drive a seventy or eighty thousand dollar SUV, to him, the cost of insurance is just a first-world problem. To Dave, the dishwasher, this is his world. This is his universe.

You know, if you want guarantees in this bill, I can guarantee you this: you vote no, you're going to guarantee Dave the dishwasher and tens of thousands of people just like him to a life of misery and dependence on government to get you back and forth to work, maybe. He can't drive an SUV—he can't afford the collision.

You know, there's people like this, you know, the working poor that we worry about, Mr. President. And we're giving our people choices with that hashtag that was being ridiculed. But you know what, there are families – single moms that are driving clunkers out there because they can't afford a new car because of the collision costs. They are struggling just to pay the PIP insurance.

You know there are parents out there who are telling their kids "I can't afford your tuition, but I'll help you pay for your insurance."

If you take a look at just what we know, Mr. President in the catastrophic fund—the \$180 a year that we'll save. A large family with five cars could save \$900 just at a catastrophic fund, per car per year. The total is \$900—that pays for a brand new water heater when it breaks down. They don't have the cash to do that right now.

You know what, we will always have an excuse to vote "no." And we are, in some cases, putting perfection ahead of the good. We have people everywhere tugging on our ears, but it's time we started listening to the people of our districts.

This is not a hard vote for me because it benefits the people of my district and the people of this state. And I hope you join me in voting "yes" on this historic reform.

Senator Nesbitt's third statement is as follows:

Our families want lower car insurance rates, and more options. Our families are demanding this. Michigan drivers are burdened with the highest auto insurance rates in the nation. The most expensive costs are borne on our families here in Michigan, and we can all agree that Michigan drivers have the right to be upset. They want this problem solved, and as elected officials our duty is to solve this problem, to be responsible to find the solution.

With the passage of Senate Bill No. 1, Michigan drivers would have the ability to choose the level of coverage that fits their budget, their needs, instead of having the state dictate to them what level of their coverage they are required to have. This legislation will put an end to the bloated costs of health care within the system. The cost of the exact same medical procedures should not cost any more simply because happens in a car accident. By leveling the playing field and bringing down the cost of auto insurance, we will have lower rates, provide choice, crack down on fraud and end lawsuit abuse.

We will no longer require every driver in the state to purchase a one-size-fits-all policy. Drivers will be empowered, families will be empowered, and seniors will be empowered to select the coverage they both need and can afford. Seniors will no longer be forced to purchase high-priced automobile insurance on top of their Medicare coverage.

This legislation will finally implement a plan to crack down on fraud and lawsuit abuse. Our current system has been in place for over 45 years. Every state in the nation has moved away from the archaic model, yet Michigan consumers and families are still saddled with the exorbitant costs of this antiquated system.

Michigan has made many dramatic strides in recent years in providing opportunity to our workers and families, our unemployment rate has dropped. If we truly want to keep and attract job providers and a talented workforce, we must provide better options for our residents. Rates are so high for this government-mandated product that the current system creates more incentives for drivers to drive uninsured than it does for them to purchase insurance. We are in a death spiral right now in our auto insurance industry. Higher rates have led to less people having insurance, and less people having insurance has led to higher rates. It's time for this death spiral to end.

Our constituents are fed up with paying the highest-in-the-nation rates. They are rightfully demanding we take action. With any major reforms—any major reforms we work on—those who are benefitting from the status quo will understandably raise concerns.

Here is the bottom line: The current system is unaffordable; it's failing the people, the families of Michigan, so we have an obligation to fix this system. The bill will provide consumers with significant savings, while still offering the highest minimum coverage of any state. Passage of this bill will result in lower rates, provide unlimited options, and offer the highest minimum coverage. We have an obligation to our constituents to deliver these reforms.

I ask for your “yes” vote and to side with Michigan drivers, families and seniors over the failed status quo of this current system.

By unanimous consent the Senate proceeded to the order of

### **Resolutions**

Senator MacGregor moved that consideration of the following resolutions be postponed for today:

**Senate Resolution No. 25**

**Senate Resolution No. 30**

**Senate Resolution No. 38**

The motion prevailed.

Senator MacGregor moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

**Senate Resolution No. 45**

The motion prevailed, a majority of the members serving voting therefor.

Senators Schmidt, Horn, Hollier, Brinks, McMorro, Polehanki, Outman, Nesbitt, Moss, Bumstead, McBroom, Irwin, VanderWall, Victory and Zorn offered the following resolution:

**Senate Resolution No. 45.**

A resolution recognizing May 5-11, 2019, as National Travel and Tourism Week, to draw attention to the importance of tourism to Michigan's economy and well-being.

Whereas, National Travel and Tourism Week, now in its 36th year, is celebrated by the Tourism Industry Coalition of Michigan (TICOM) and Travel Michigan; and

Whereas, A Michigan Economic Development Corporation (MEDC) study shows tourism supports 6 percent of all jobs, directly supporting 224,476 jobs in the state; and

Whereas, Tourism boosts the state economy by \$24.7 billion and generates \$2.7 billion in state and local taxes; and

Whereas, Last year, Michigan had a total of 122.4 million visits, an increase of 3.4 million visits from the previous year and marking an eighth straight year of growth; and

Whereas, Michigan businesses ranging from lodging to food establishments, retailers, sporting events, and beyond all benefit from tourism, resulting in thriving communities, hometown pride, and robust employment; and

Whereas, Travel makes us aware of the need for good roads and public transportation; and

Whereas, Michigan has scores of destinations with festivals, museums, and arts and cultural events that show our diversity and ethnic heritage; and

Whereas, Residents and visitors who take advantage of our hiking trails, waterways, ski resorts, golf courses, and beaches get in touch with all the stunning scenery that “Pure Michigan” has to offer; and

Whereas, The United States Travel Association finds that travel can reduce stress, improve heart health, and create stronger connections with loved ones, which leads to better health overall and a greater sense of well-being; and

Whereas, Travel connects family and friends and makes lifelong memories; and

Whereas, The social media hashtag to point out the importance of tourism is #TravelMatters; now, therefore, be it

Resolved by the Senate, That members of this legislative body recognize May 5-11, 2019, as National Travel and Tourism Week; and be it further

Resolved, That the people of the state of Michigan are encouraged to explore “Pure Michigan” year-round to take advantage of its four glorious seasons.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Bayer, Bullock, Chang, Lucido, MacGregor, McCann and Wojno were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senator Lucido introduced

#### **Senate Bill No. 296, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 415, 501, 505, 507, 509, 511, 513, 513a, 514, 514a, 515, 518, 519, 521a, 525, 531, and 533 (MCL 436.1415, 436.1501, 436.1505, 436.1507, 436.1509, 436.1511, 436.1513, 436.1513a, 436.1514, 436.1514a, 436.1515, 436.1518, 436.1519, 436.1521a, 436.1525, 436.1531, and 436.1533), section 415 as added by 2013 PA 100, section 501 as amended by 2012 PA 82, section 509 as amended by 2018 PA 37, section 513 as amended by 2018 PA 479, section 513a as added by 2011 PA 249, section 514 as added by 2000 PA 166, section 514a as added by 2004 PA 194, section 515 as amended by 2004 PA 192, section 518 as amended by 2010 PA 279, section 519 as amended by 2018 PA 683, section 521a as amended by 2014 PA 270, section 525 as amended by 2016 PA 434, section 531 as amended by 2014 PA 135, and section 533 as amended by 2018 PA 386.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Senators Wojno and Johnson introduced

#### **Senate Bill No. 297, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 18a.

The bill was read a first and second time by title and referred to the Committee on Elections.

Senator MacGregor introduced

#### **Senate Bill No. 298, entitled**

A bill to amend 2008 PA 525, entitled “Fostering futures scholarship trust fund act,” by amending section 7b (MCL 722.1027b), as added by 2014 PA 530.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Hollier, Irwin, Geiss, Bullock, Alexander, Santana, Wojno, Ananich, Bayer and Schmidt introduced

#### **Senate Bill No. 299, entitled**

A bill to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 9 (MCL 247.909), as amended by 2018 PA 473.

The bill was read a first and second time by title and referred to the Committee on Transportation and Infrastructure.

Senators Hollier, Ananich, Geiss, Bullock, Wojno, Alexander, Polehanki, Chang, Irwin, Brinks, Moss, Santana, McMorro and Bayer introduced

#### **Senate Bill No. 300, entitled**

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” (MCL 325.1001 to 325.1023) by adding section 7b.

The bill was read a first and second time by title and referred to the Committee on Environmental Quality.

Senators Bayer, Chang, Lucido, Hollier, Polehanki, Runestad, Bullock, Alexander, Irwin, Moss, McCann, Wojno, Hertel, Ananich, Geiss, McMorro and McBroom introduced

#### **Senate Bill No. 301, entitled**

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending sections 2 and 3 (MCL 15.262 and 15.263), section 2 as amended by 2001 PA 38 and section 3 as amended by 2018 PA 485.

The bill was read a first and second time by title and referred to the Committee on Insurance and Banking.

Senators Bayer, Chang, Lucido, Hollier, Polehanki, Runestad, Bullock, Alexander, Irwin, Moss, McCann, Wojno, Hertel, Ananich, Geiss, McMorrow and McBroom introduced

**Senate Bill No. 302, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 2002 PA 662.

The bill was read a first and second time by title and referred to the Committee on Insurance and Banking.

Senators Irwin, Wojno, Bullock, Geiss, Hollier, Brinks, Chang, Bayer, McBroom and Polehanki introduced

**Senate Bill No. 303, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 2468, 2468a, 20195, and 20195a.

The bill was read a first and second time by title and referred to the Committee on Health Policy and Human Services.

Senators Schmidt, Lucido, Irwin, Hollier, Chang, Brinks and VanderWall introduced

**Senate Bill No. 304, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 6f to chapter V.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

Senator Hollier introduced

**Senate Bill No. 305, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2105, 2110a, 2111, and 2151 (MCL 500.2105, 500.2110a, 500.2111, and 500.2151), sections 2110a and 2111 as amended by 2012 PA 441 and section 2151 as added by 2012 PA 165, and by adding section 2111b.

The bill was read a first and second time by title and referred to the Committee on Insurance and Banking.

**House Bill No. 4031, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13 of chapter II and sections 1 and 3c of chapter XI (MCL 762.13, 771.1, and 771.3c), section 13 of chapter II as amended by 2015 PA 33, section 1 of chapter XI as amended by 2006 PA 631, and section 3c of chapter XI as amended by 2002 PA 483.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

**House Bill No. 4032, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending sections 25a, 36a, and 85 (MCL 791.225a, 791.236a, and 791.285), sections 25a and 36a as amended by 2002 PA 502 and section 85 as added by 2006 PA 172.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary and Public Safety.

**House Bill No. 4120, entitled**

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 10 of chapter IV (MCL 224.10), as amended by 2004 PA 516.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Transportation and Infrastructure.

### Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 2:  
**House Bill Nos. 4031 4032 4120**

The Secretary announced that the following bills and resolution were printed and filed on Thursday, May 2, and are available on the Michigan Legislature website:

**Senate Bill Nos. 294 295**

**Senate Resolution No. 44**

**House Bill Nos. 4538 4539 4540 4541 4542 4543 4544 4545 4546 4547 4548 4549 4550 4551  
 4552 4553 4554 4555 4556 4557 4558 4559 4560 4561 4562 4563 4564**

### Committee Reports

The Committee on Appropriations reported

**Senate Bill No. 133, entitled**

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
 Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 137, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
 Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 139, entitled**

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
 Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 141, entitled**

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 143, entitled**

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 145, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 148, entitled**

A bill to make appropriations for the department of talent and economic development for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, April 30, 2019, at 2:00 p.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

The Committee on Appropriations reported

**Senate Bill No. 134, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201 and 201a (MCL 388.1801 and 388.1801a), sections 201 and 201a as amended by 2018 PA 265.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Schmidt and Victory

Nays: Senators Barrett, Runestad, Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 135, entitled**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 136, entitled**

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 138, entitled**

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain other state purposes for the fiscal year ending September 30, 2020; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 140, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236 and 236a (MCL 388.1836 and 388.1836a), sections 236 and 236a as amended by 2018 PA 265.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Schmidt and Victory

Nays: Senators Barrett, Runestad, Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 142, entitled**

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 144, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 146, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2018 PA 586 and section 17b as amended by 2007 PA 137.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Barrett, Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 147, entitled**

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 149, entitled**

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jim Stamas  
Chairperson

To Report Out:

Yeas: Senators Stamas, Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt and Victory

Nays: Senators Hertel, Bayer, Hollier, Irwin, McCann and Santana

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, May 1, 2019, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stamas (C), Bumstead, Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel, Bayer, Hollier, Irwin, McCann and Santana

The Committee on Insurance and Banking reported

**Senate Bill No. 1, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3148 and 3157 (MCL 500.3148 and 500.3157), and by adding sections 3100, 3107c, 3109b, and 3157a.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Lauwers, LaSata, Nesbitt, Daley, Barrett and Horn

Nays: Senators Geiss, Bullock and McMorro

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Insurance and Banking reported

**Senate Bill No. 292, entitled**

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1621 and 1627 (MCL 600.1621 and 600.1627), as amended by 1995 PA 161, and by adding section 1630.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Lauwers, LaSata, Nesbitt, Daley, Barrett and Horn

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Insurance and Banking reported

**Senate Bill No. 295, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2014 PA 300.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Lana Theis  
Chairperson

To Report Out:

Yeas: Senators Theis, Lauwers, LaSata, Nesbitt, Daley, Barrett and Horn

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Insurance and Banking submitted the following:

Meeting held on Tuesday, May 7, 2019, at 8:30 a.m., Room 1100, Binsfeld Office Building

Present: Senators Theis (C), Lauwers, LaSata, Nesbitt, Daley, Barrett, Horn, Geiss, Bullock and McMorro

#### COMMITTEE ATTENDANCE REPORT

The Committee on Advice and Consent submitted the following:

Meeting held on Thursday, May 2, 2019, at 1:00 p.m., Room 1300, Binsfeld Office Building

Present: Senators Lucido (C), LaSata, McBroom and Hertel

Excused: Senator Nesbitt

#### Scheduled Meetings

**Administrative Rules** - Wednesday, May 8, 3:30 p.m. (CANCELED), 2:00 p.m. or later immediately following session, Anderson House Office Building (517) 373-5630

**Economic and Small Business Development** - Thursday, May 9, 12:00 noon, Room 1200, Binsfeld Office Building (517) 373-5314

**Elections** - Wednesday, May 8, 2:00 p.m., Room 1300, Binsfeld Office Building (517) 373-5323

**Families, Seniors, and Veterans** - Wednesday, May 8, 3:00 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

**Health Policy and Human Services** - Thursday, May 9, 1:00 p.m., Room 1100, Binsfeld Office Building (517) 373-5323

**Local Government** - Thursday, May 9, 1:30 p.m., Room 1200, Binsfeld Office Building (517) 373-5314

**Michigan State Capitol Commission** - Monday, May 13, 11:00 a.m., Room H-65, Capitol Building (517) 373-0184

Senator MacGregor moved that the Senate adjourn.  
The motion prevailed, the time being 1:09 p.m.

The President, Lieutenant Governor Gilchrist, declared the Senate adjourned until Wednesday, May 8, 2019, at 10:00 a.m.

MARGARET O'BRIEN  
Secretary of the Senate